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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT		Docket Number (Optional) 4562C1
In re Application of: SHIN et al.		
Application Number 10/642,418	Filed August 14, 2003	
For APPARATUS AND METHOD FOR EJECTING SAMPLE WELL TRAYS		
Group Art Unit 1744	Examiner David A. Redding	

Applera Corporation, the owner* of one hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer, of prior Patent No. 6,638,761. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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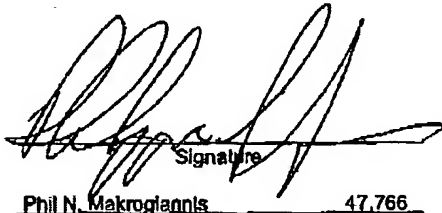
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2. ☒ The undersigned is an attorney of record.

November 23, 2004
Date


Signature

Phil N. Makrogiannis
Typed or printed name

47.766
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☒ Terminal disclaimer fee under 37 CFR 1.20(d) is estimated to be \$110.00. Please charge the required fee to Applied Biosystems Deposit Account No. 01-2213. A copy of this sheet is enclosed for accounting purposes.

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